

To: Sullivan, Kate[Sullivan.Kate@epa.gov]
From: Zabawa, Christopher
Sent: Fri 8/21/2015 4:39:16 PM
Subject: RE: Colorado mine spill -- additional AWPDP work on this important issue

You go girl, excuse me, you go madame branch chief.....

From: Sullivan, Kate
Sent: Friday, August 21, 2015 12:38 PM
To: Zabawa, Christopher
Subject: RE: Colorado mine spill -- additional AWPDP work on this important issue

Probably so. So far there is a lot of data showing up but no understandable summary so we are going to attempt that here in the near time as our first runway stroll.

We're producing a plan so I'll send when we have it.

Kate

From: Zabawa, Christopher
Sent: Friday, August 21, 2015 12:35 PM
To: Sullivan, Kate
Subject: RE: Colorado mine spill -- additional AWPDP work on this important issue

They may be gaming each office separately from Gina McCarthy's desk to see what each one can come up with?

Dunno. Otherwise, as soon as you have a draft work plan or something if you want to share it with me I will give it to Tom wall if you want.

Or head of ORD can give it to Head of OW...Ken Kopocis. I would think it is going to be like Project Runway and each office when time is up show what they have.

Z

From: Sullivan, Kate
Sent: Friday, August 21, 2015 12:20 PM
To: Zabawa, Christopher
Subject: RE: Colorado mine spill -- additional AWPDP work on this important issue

By the way, myself as lead and other scientists here in Athens are working on this doing some projecting of what may happen in the future to water quality at the request of the Administrators office. We are going low profile because it seems that every EPA dept involved (3 regions, etc)) seem to get very territorial in these kinds of events. Don't know if there is any opportunity to collaborate.

Kate

From: Zabawa, Christopher
Sent: Friday, August 21, 2015 11:59 AM
To: Sullivan, Kate; Mills, Noelle
Subject: FW: Colorado mine spill -- additional AWPDP work on this important issue

From: Wall, Tom
Sent: Friday, August 21, 2015 11:48 AM
To: OW-OWOW-AWPDP; Highsmith, Damon; Reumann-Moore, Kyra; Soo-Hoo, Mimi; Engelberg, Ari; Goldstein, Alisha; Larsen, Erika
Cc: OWOW Managers Group
Subject: Colorado mine spill -- additional AWPDP work on this important issue

I would be remiss if I did not acknowledge the work of additional folks who were involved last

week as OW quickly collected information about support we could offer the Emergency Operations Team, as we began to gather information for longer-term restoration planning and as we supported response to high-level press inquiries: Wendy Reid, Tommy Dewald, Alice Mayo, Marla Smith, Mimi Soo-Hoo, Laura Shumway, Shera Reems, Eric Monschein, Anne Weinberg and Dwight Atkinson.

And of course, the water quality analyses Dwane developed on baseline monitoring in the affected watersheds would not have been possible without the STORET team's work w/ USGS to build the Water Quality Portal and web services for quickly summarizing data across multiple stations operated by multiple data partners: Charles Kovatch, Kevin Christian and Laura Shumway.

It's great that we have so many talented folks building useful products and with strong relationships and contacts across the Agency who step up and deliver when our support is needed.

From: Wall, Tom

Sent: Thursday, August 20, 2015 5:45 PM

To: OW-OWOW-AWPD; OWOW Managers Group (OWOW_Managers_Group@epa.gov); Highsmith, Damon; Reumann-Moore, Kyra; Soo-Hoo, Mimi; Engelberg, Ari; Goldstein, Alisha; Larsen, Erika

Subject: FW: After the Blowout: Silverton Faces Watershed Moment in Wake of Gold King Spill (local paper, very thorough)

Folks, Some of us (e.g., myself, Dwane, Cyd, Adam and Doug) have had the opportunity this week to support Ken in working with Region 8 and others as the spill response begins to transition from emergency response to longer term monitoring and restoration planning. Thought I would share the following story, which provides very thorough background information and some local perspectives on this event. – TomW.

From: Curtis, Cynthia

Sent: Wednesday, August 19, 2015 12:52 PM

To: Bravo, Antonio; Wall, Tom

Subject: FW: After the Blowout: Silverton Faces Watershed Moment in Wake of Gold King Spill (local paper, very thorough)

FYI



San Juan
INDEPENDENT
NEWS BEFORE PROFIT

After the Blowout: Silverton Faces Watershed Moment in Wake of Gold King Spill

By Samantha Wright | Silverton

Tucked in amongst towering mountains and surrounded by wilderness with no easy way in or out, Silverton is one of the smallest, highest, most rugged and isolated communities in Colorado.

But the three million gallon spill that the Environmental Protection Agency accidentally unleashed from the nearby Gold King Mine into Cement Creek and the Animas River on Aug. 5 thrust the tiny town into the national spotlight, and underscored just how connected – and responsible – Silverton is to downstream communities from Durango to Lake Powell.

The blowout has also driven home how easy it is to misconstrue the complicated forces of man and nature that combined to create it.

Journalists took their cue from the yellow color of the water in the days following the blowout, describing the plume of polluted mine drainage in apocalyptic terms ranging from “orange acid water” to “a million gallons of filthy yellow mustard” and “a puke-colored plume of mine runoff.” (Conan O’Brien took the prize with his [satiric video](#) promoting a kayak ride from hell along a 30-mile stretch of “arsenic-laced, mustard-colored doom juice.”)

Silverton residents have another term for the color Cement Creek turned in the mine blowout’s aftermath: familiar. Every spring, during peak runoff, Cement Creek – and in turn, a portion of the Animas River downstream – run almost that same turbid, nasty hue.

It’s the nature of the place.

From its headwaters in the shadow of the Red Mountains, Cement Creek plummets past a cluster of leaky old mine adits on the slopes of Bonita Peak in the upper reaches of the Cement Creek drainage, passing right beneath the now-infamous Gold King Mine.

The creek then flows through the ghost town of Gladstone in the valley down below, where the two-mile-long American Tunnel used to provide access to the Sunnyside Mine, and where a water treatment plant once treated that mine's discharge but has since been dismantled.

While Cement Creek picks up a significant amount of mine drainage along the way (more so in recent years than in the past), its low pH and often rusty tint are also due to the surrounding iron-rich mountains themselves, which are located within the San Juan Triangle – one of the most heavily mineralized and volcanized patches of the earth's crust. Even EPA officials readily admit the creek will never be able to support fish.

Finally, about six miles later, it runs straight through Silverton where it meets the Animas River.

While Cement Creek picks up a significant amount of mine drainage along the way (more so in recent years than in the past), its low pH and often rusty tint are also due to the surrounding iron-rich mountains themselves, which are located within the San Juan Triangle – one of the most heavily mineralized and volcanized patches of the earth's crust. Even EPA officials readily admit the creek will never be able to support fish.

"Cement Creek wasn't called Clearwater Creek," pointed out longtime Silverton local Jerry Hoffer, who once worked as an electrician inside the Sunnyside Mine. "It was called Cement Creek for a reason."

Fellow Silverton resident John Ferguson agrees. "On the positive side, this is really ugly-looking stuff that's not very dangerous," said the Telluride native, who has worked as a mining and milling engineer and consultant for most of his life. "I live in an RV park right next to Cement Creek, and I see it every time it rains. You look up, and there's a reason – Red Mountain."

It takes a little chemistry lesson to understand why Cement Creek is generally not as scary as it looks.

"There's bad stuff in it," Ferguson allowed. "But when you see the red water, that means it's not so acidic anymore and the iron has precipitated out. And then, as you go a step further, the ferrous hydroxide precipitate forms a gelatinous flock, like a slime, that latches onto other stuff and drops other metals out of the water too."

By the time the water hits the Animas River Canyon south of Silverton, it's running over limestone which buffers the pH of the water, precipitating out metal oxides all the way along. "The further downstream you go, the less total dissolved metal you have," Ferguson said.

In theory, then, the river has the ability to heal itself of the acidic and metal-laden conditions of its most troublesome tributary. Over the past 10 years, however, the growing volume of mine runoff flowing into the river from the upper Cement Creek drainage has overwhelmed this ability, alarming the EPA and other local stakeholders who are concerned about water quality in the basin, and triggering intensive monitoring.

When the Gold King Mine released its load on Aug. 5, the condition of the Animas River got

more attention than it has probably ever had since 1978, when the Sunnyside Mine breached the floor of Lake Emma high above Silverton, sending an estimated 500 million gallons of water and sludge blasting through the mine, out the American Tunnel and into downstream waters.



Cement Creek, a week after the Gold King blowout, was back to normal as it threaded its way through Silverton. (Photo by Samantha Wright)

“Not Worth Panicking Over...”

While the three million gallon Gold King spill is dwarfed in comparison to Lake Emma, EPA test results released last Monday did give cause for concern. The blowout caused a spectacular, if transient, spike in concentration of total and dissolved metals in the Animas River – from arsenic to zinc – in a profile pretty typical of concentrated mine drainage oozing from aging adits across the San Juans.

Downstream communities along the length of the Animas River, and the San Juan River into which it flows, are worried about lasting health effects of the sediment that the surge has left behind.

But within a week of the Gold King blowout, the water quality in the Animas River, at least, appeared to be back to pre-event conditions. While in Durango last week, Gov. John Hickenlooper even drank a glass of it to prove that point.

“There’s a silver lining in all this,” he told the *Denver Post* after the stunt (he had reportedly treated the glass of water with an iodine tablet first to kill bacteria and pathogens). “It doesn’t appear there is going to be lasting environmental damage or significant environmental damage, and what most of us were fearful of didn’t happen.”

... monitoring conducted by the Silverton-based Mountain Studies Institute shows that the bugs that make their home along the Animas ... appear to be doing okay so far.

A survey of fish in the river looks equally promising, and monitoring conducted by the Silverton-based Mountain Studies Institute shows that the bugs that make their home along the Animas also appear to be doing okay so far.

In short, “Everyone’s panicking over something that’s not worth panicking over,” Hoffer said, voicing the frustration that many people are feeling here in Silverton, now that the national media has shifted its focus from the spectacle of the polluted plume of water to the source of the accident itself – and the agency that triggered it.

Silverton’s legacy of mine pollution is right in the middle of that spotlight. The Associated Press, *Denver Post*, *Los Angeles Times*, Fox News and Al Jazeera all paid visits to the town last week, huddling with local officials, interviewing key players in the local mining scene and touring the accident site to gain insight into what caused the spill.

Many of those stories have not painted Silverton and some of its residents in a flattering light.

“We are gently and slowly being crushed by the press, jammed into a corner not of our making,” said David Breed in an online community forum on Saturday as the national media continued to churn out story after story about the spill. “The EPA has ‘taken responsibility’ and yet the narrative that is being played out is that we are greedy, provincial hicks that turned down the help we were offered....”

Meanwhile, there has been a growing clamor from downstream communities and elected officials for the EPA to list Silverton as a Superfund site, so that the agency can clean up the mine pollution in the upper Animas River Basin in a comprehensive manner.

Along with such a listing would probably come a new water treatment plant in Gladstone to treat the polluted mine water seeping out of the upper Cement Creek drainage. That would cost millions to build, and millions more to operate in perpetuity.

Ever since the Sunnyside shut down in 1991, the EPA has expressed a desire to place the Silverton region on the National Priority Listing for hazardous waste cleanup under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA),

commonly known as Superfund.

In 2012, with acid drainage from certain abandoned and inactive mines in the area – including the Gold King – on the rise due to installation of bulkheads during decommissioning of the Sunnyside Mine, the EPA concluded that the cluster of polluting mines in the upper Cement Creek drainage qualified for National Priority Listing, but postponed moving forward with the listing because of local opposition.

In its most recent move, the agency asked the Town of Silverton permission to test the soil around town to determine if the area is contaminated with heavy metals from old smelting operations.

“They have really wanted to create a Superfund site here because of the Gladstone/upper Cement Creek situation, but they had to prove human health problems,” explained Silverton native and retired town treasurer Bev Rich. “That’s when they came in two or three months ago and said, ‘We want to sample your streets and your alleys and your yards and your schools. And everybody’s going ‘What? We thought this was supposed to be at Gladstone.’”

While you would be hard-pressed to find anyone in Silverton who doesn’t want to see the Gladstone mess cleaned up, a strong contingent of locals bristle at the stigma that would come with a Superfund designation, and the death knell it would likely ring for any potential mining comeback in the district. Many prefer a local stakeholder-based approach to cleaning up the mess.

And some question whether the same agency that triggered the Gold King blowout is competent to tackle the much more complicated task of cleaning up the basin as a whole.



Natural iron fens seep to the surface along Cement Creek between Silverton and Gladstone. The rare phenomenon is not associated with mine pollution, but the natural mineralization of the region. (Photo by Samantha Wright)

Local brain trust eschewed?

Ferguson stood in the streetlamp glow in front of Town Hall after attending a meeting at which EPA officials spoke to the Silverton community last Monday, wondering out loud why the feds hadn't hired local experts to consult on the Gold King project – and maybe even execute it.

Reports after the accident revealed that the EPA had contracted with Environmental Restoration LLC (a Fenton, Missouri, company) to conduct the remediation work at the idled mine.

“[The EPA] are arrogant jerks, at best,” Ferguson said. “In that room, up there this evening, there were at least five people who had first-hand on-the-ground knowledge of the conditions in the Gold King Mine, including a town trustee. A lot of people here with mega-years of experience knew about the conditions, knew what was there, knew there were some challenges, knew there was really the potential to screw things up – or to do it fairly smoothly, fairly easily and fairly

safely.”

Ferguson himself is among those people. He is an active participant of the Animas River Stakeholders Group, an unlikely alliance of mining companies, environmental organizations, land owners, local governmental entities, and state and federal regulatory and land management agencies, focused on mine remediation and water quality issues in the Animas River Basin. All concerned entities are welcome at the monthly Stakeholder meetings – even the EPA has a seat at the table.

ARSG coalesced in 1994, just after the Sunnyside Mine shut down, to fend off the specter of a Superfund designation in the Upper Animas River Basin, and to come up with a process for determining attainable water quality standards in the basin. The group has directly sponsored close to 20 mine remediation projects in the upper Animas River watershed and was indirectly involved in 40 more, considerably improving the water quality in several tributaries to the Animas River – including Mineral and Cement creeks.

In recent years, the Stakeholders’ primary focus has been on what to do about the declining water quality in the upper Cement Creek drainage. The havoc it is wreaking in the Animas River downstream of Silverton has undone much of the progress the group made in its first decade of existence.

Seven years ago, in the midst of this escalating water quality crisis, Ferguson says he participated in a joint effort between Colorado Goldfields (a local now-defunct mining company with which he is associated) and the Colorado Division of Reclamation, Mining and Safety to look into stabilizing the Gold King portal and treating its drainage, to prevent what they foresaw as a looming blowout.

The plan, as he described it, would have involved pumping some concrete grout into the talus that had collapsed over a secondary adit, drilling into the Gold King mine pool and inserting a pipe to drain it into a settling pond. In the end, Ferguson said, the plan was nixed because mine owner Todd Hennis did not have the required water discharge permit.

At the time there was only about 10 gallons per minute of water leaking out of the mine.



Detail from a historic photo of the Gold King Mine shows water streaming down the mine dump.

“Historically we knew the flow had been greater, because there is a picture at the Brown Bear Cafe, of the No. 7 Level of the Gold King Mine back in the historic days before the American Tunnel,” Ferguson said.

The photo, hanging to the right of the juke box over a table along the west wall, shows water streaming down the mine dump in front of the old Gold King boarding house. Its likely source is the Bonita Fault, a water-rich fissure that slices through Bonita Peak, intersecting both the Gold King’s #7 Level and the American Tunnel which bores into the mountain over a thousand feet below.

The American Tunnel was initially driven to intersect the Gold King vein at depth, to provide creek-level haulage and, as Ferguson tells it, to dewater the upper Gold King workings. Years later, the tunnel was lengthened an additional mile in a different direction to provide access to the Sunnyside Gold Mine workings. No direct manmade connection between the American Tunnel and Gold King mine’s upper workings was ever made.

Three massive bulkheads, or concrete plugs, were installed inside the vast underground workings of the Sunnyside starting in 1996, five years after it shut down. This work was part of an agreement with the State of Colorado that released the mine operator from environmental

liability and allowed it to stop actively treating the water that still poured from the American Tunnel.

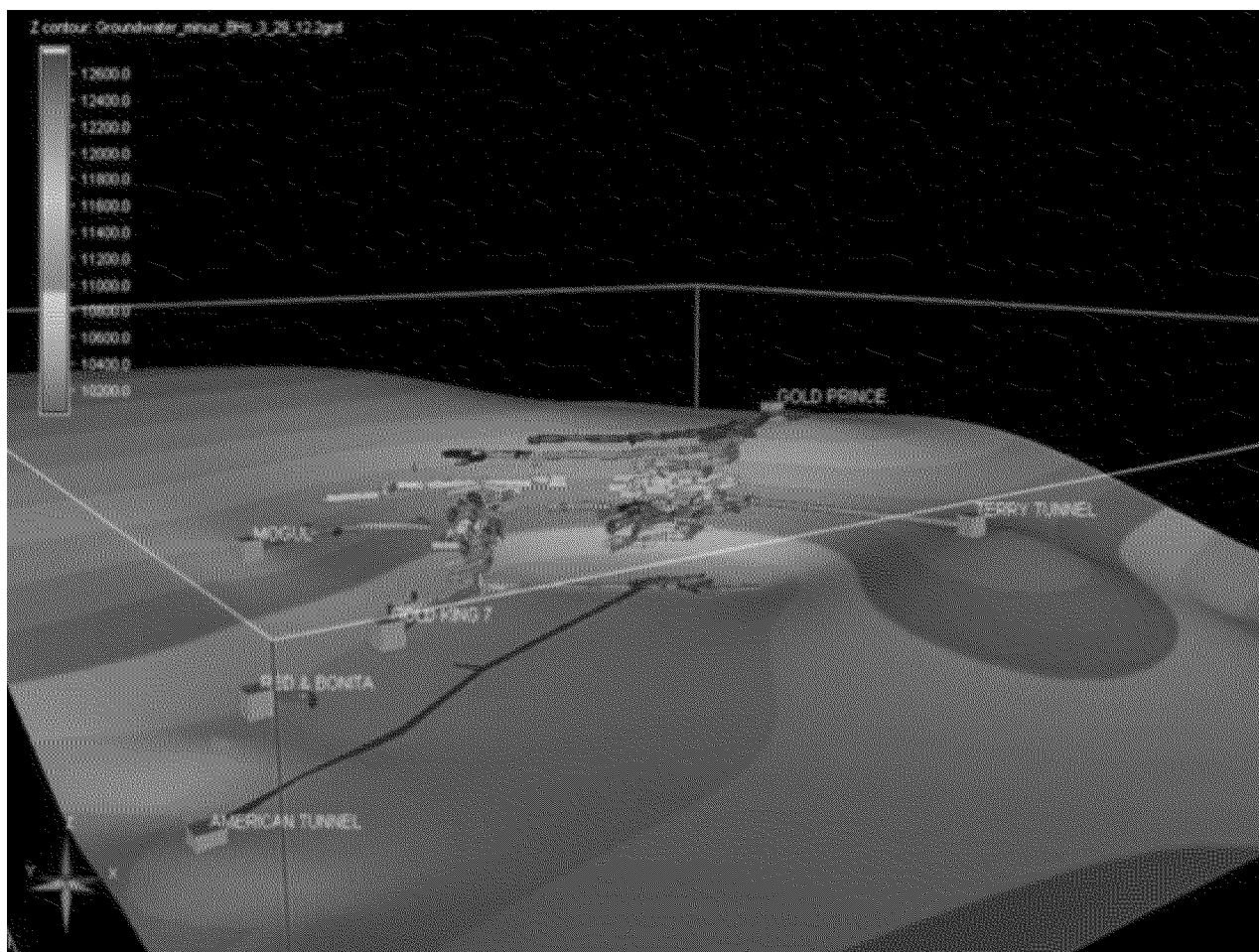
The bulkheads were intended to prevent water from draining out of the mine portal. The first one worked well, but when the other two were added downstream in the American Tunnel six years later to contain acidic flows from a fractured zone, the bulkheads collectively ended up functioning more as a bathtub plug, says ARSG co-coordinator Peter Butler.

They caused the groundwater table to rise again, making its way back up through old mine workings, faults and cracks inside the mountain, dramatically increasing acid mine drainage from the historic and abandoned Red and Bonita, Mogul, and Gold King mines.

Collectively, these leaky adits have created one of the largest untreated mine drainages in Colorado – a festering, acidic sore oozing heavy metals in solution, including zinc, cadmium, copper, manganese, iron, aluminum and a little lead.

Thus, Ferguson was not surprised that the EPA encountered so much pent-up water shortly after crews started digging away at the unconsolidated material that blocked the Gold King portal last week. They should have approached the job with more caution, and expertise, he said.

“You can’t fix stupid,” Ferguson shook his head. “It was an unfortunate incident. It’s a really good thing that nobody got hurt. Actually, it’s a wonder. Those guys up there would have been first in line.”



The complex nature of the upper Cement Creek mine workings, geologic structure, and the bulkheads located within the workings made acid mine drainage sources difficult to visualize. So, in 2010 The Bureau of Land Management (BLM) and the Animas River Stakeholders Group (ARSG) consulted with the Colorado Division of Reclamation and Mine Safety to develop a three dimensional model of the upper Cement Creek mine workings, geology, and groundwater.

A Bit of a Mystery...

The last time the Gold King Mine made headlines may have been when Donnie Goode died there in the 1980s. He was working for a company that was doing some exploration work inside the mine, which had been inactive since the 1920s, and was bent over looking for copper nuggets on the floor of the tunnel when a big slab fell off the wall and broke his neck.

“It was a really strange accident,” said San Juan County Commissioner Scott Fetchenheir, a local mining historian and geologist who knew Goode. “He was just in the wrong place, at the wrong time.”

As Fetchenheir recalls, the underground workings of the Gold King Mine were “pretty altered – a lot of clays, a lot of pyrite.”

When the portal of the Gold King's No. 7 Level tunnel caved in about 15 years ago, an impoundment pool began to form inside the mine. The sulfide-rich pyrite in there, when exposed to the water, reacted to form sulfuric acid. And the more acidic the water became, the more harmful metals and metalloids it leached out of the surrounding rock. It was, in other words, the recipe for acid mine drainage.

In the beginning, just a little bit of tainted water trickled out of the Gold King's caved-in portal. But not long after the last two Sunnyside bulkheads were installed, the adit started gushing up to 200 gallons per minute of mine water with a pH level of around 3 (more acidic than orange juice, but less so than Coke or Pepsi) into Cement Creek, and won the distinction of becoming one of the two biggest contributors of heavy metal loads in the Animas Basin.

The hydrology of the upper Cement Creek drainage has changed in recent years. The Gold King outflow has tapered off significantly, while that of the nearby Red and Bonita (the other top polluter in the basin) has simultaneously increased, leading the EPA and other ARSG stakeholders to speculate as to what was going on.

The water from the two portals has totally different chemical signatures, and the mines are not known to be connected by any manmade structure – either to each other, or to the American Tunnel and Sunnyside workings.

It was a bit of a mystery, and one that the EPA and ARSG wanted to solve sooner rather than later, as the water quality of the Animas River downstream of its confluence with Cement Creek became more and more degraded.

Last year, the EPA developed a plan to install a new bulkhead in the Red and Bonita Mine. Simultaneously, the feds would open up the No. 7 Level of the Gold King Mine to drain and treat its mine pool, and explore its underground workings to learn more about the mine's hydrology, perhaps coming up with a way to staunch its flow.

The \$1.5 million project was designated as a Superfund removal action – a short-term, in-and-out project of defined scope with a specific, achievable outcome, as opposed to the remedial program more commonly associated with CERCLA, which is intended to manage longterm, more complex, and less certain cleanup options.

The EPA and the Silverton community have always had a strained relationship. But in the case of the Gold King/ Red and Bonita project, “The EPA was actually doing something that we wanted done – which was to find out where that water was coming from, and to see what we could do to get it shut off,” said Steve Fearn, a longtime Silverton mining engineer and ARSG member who owned the Gold King Mine before Todd Hennis.

The purpose of the project was “to see if there are alternatives that make sense,” Fearn explained. “We [ARSG] had encouraged them to do it. It was part of the consensus.”

If it works, Fearn said, it would be a preferable alternative to installing a new water treatment

plant in Gladstone.



The Gold King Mine portal after the Aug. 5 blowout. (Photo courtesy of EPA)

Things Go to Hell...

The plan for the Gold King portal, as EPA Region 8 Office Assistant Regional Administrator Martin Hestmark explained to subdued Silverton community members last Monday night, was to try and get a “stinger pipe” into the adit behind the cave-in so that they could pump the mine pool out in a controlled fashion and then treat the discharge.

“We knew there was a mine pool back there, but did not know how much,” Hestmark admitted. The EPA’s estimates for the volume of water, he said, were based on what they knew of the existing mine workings associated with the Gold King Mine.

But the complex hydrology of the tangle of old mine workings, faults and cracks within the towering Bonita Peak is not well understood – by the EPA or anyone else.

As Hestmark put it, “Things happen underground, voids can be created, and mine volume can be a lot larger than we estimated.”

In an effort to get better access to improve its ability to place the stinger pipe into the mine plug, the crew was using a backhoe to pull material down from on top of the adit to the front of the adit, and then pushing that material out onto the mine dump.

Things went south in a hurry when clear water started to seep through, “quite a bit above the adit,” Hestmark said. Not knowing what was going on, the crew backed its equipment away. Then the discharge started to turn red, and it started to show pressure.

And then, it started to blow.

“It basically blew out the unconsolidated material that was holding all that water back – timbers, lagging, rock falling off the ceiling, and all that stuff,” Hestmark said. On its violent rush toward Cement Creek, the blowout took a significant portion of the mine dump below the portal down the mountain with it, overwhelming the treatment ponds below.

It basically blew out the unconsolidated material that was holding all that water back – timbers, lagging, rock falling off the ceiling, and all that stuff.*EPA Region 8 Office Assistant Regional Administrator Martin Hestmark*

Based on his 28 years of experience and what he knew of the mine workings, EPA mine site coordinator Hayes Griswold initially estimated that it looked like a “million gallon spill.” A U.S. Geological Survey gauging station on Cement Creek later revealed that the volume of the spill was actually north of three million gallons – about three times as much as could be contained in the Ouray Hot Springs Pool.

The Gold King blowout had little direct impact on Silverton residents, other than to wash out a few county roads, and to leave more than the usual amount of orange iron oxide stain on the banks of the creek as it churned through town.

But as the slug of mine discharge made its way into the Animas River, the impact on communities downstream was more severe.

The river was closed to kayakers, rafters and swimmers for nine days, finally reopening on the following Friday afternoon. Irrigators and well water users along the river had to cut off their water supply. Durango residents were asked to conserve water as the city stopped pumping out of the Animas to prevent the tainted discharge from getting sucked into the city reservoir.

By Friday, the plume of polluted water had made its way across the New Mexico state line and flowed into the San Juan River. Farmington city officials followed Durango’s lead, shutting down all water supply intake pumps to avoid contamination and advising citizens to stay out of the river until the discoloration had passed.

On Saturday, Navajo Nation police and tribal officials went up and down the San Juan River shore, warning community members of contaminated water from the Gold King Mine.

States of emergency were declared in riparian communities in southern Colorado, New Mexico and Utah as a result of the contamination, and the EPA switched off water intakes from Durango to Lake Powell.

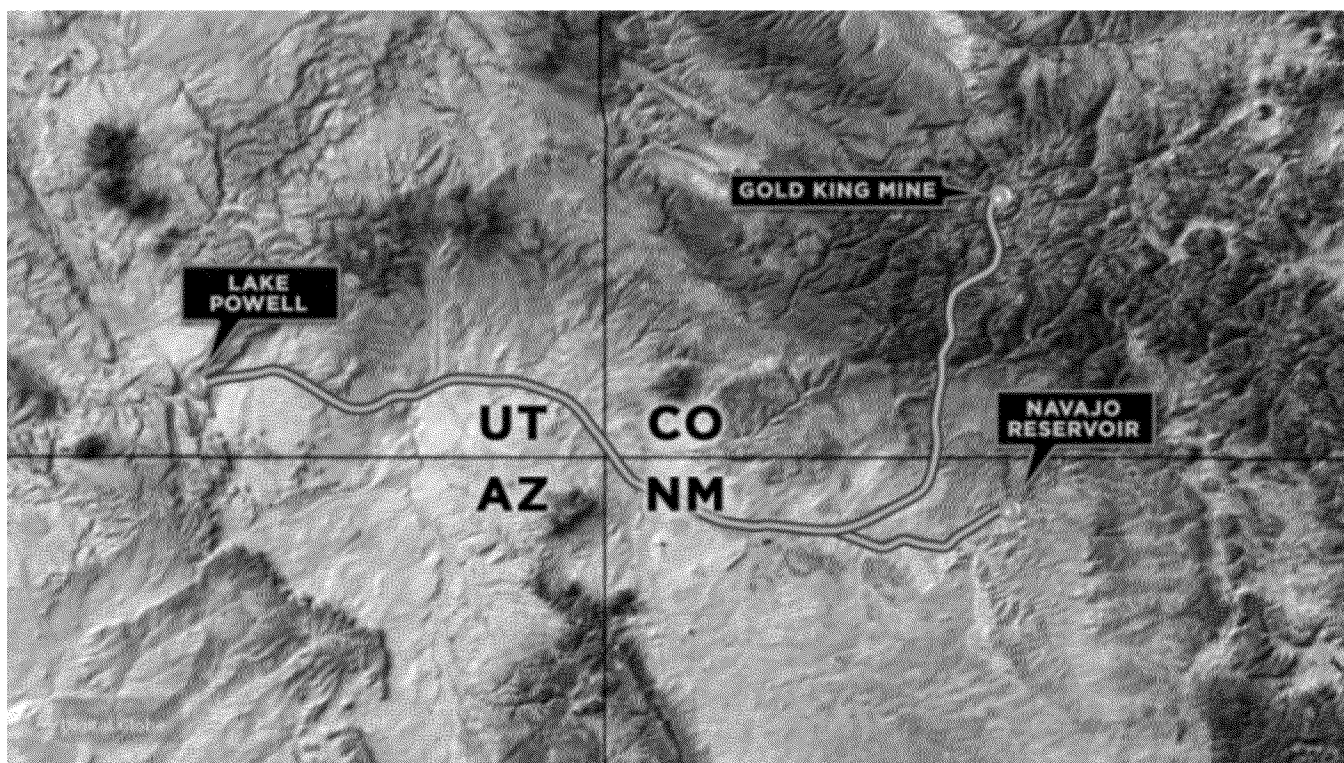
In a statement after the incident that was published in local papers, Nancy Agro, an attorney for San Juan Corp., (Hennis's company which owns the Gold King), blamed the EPA for the accident:

"The U.S. Environmental Protection Agency, operating under an access agreement obtained from the owner of the Gold King Mine, had begun an investigation regarding the source of contaminated water at the Gold King Mine last year. Upon suspending work last year, the USEPA backfilled the portal to the mine. On August 5th, 2015, while the USEPA was removing the backfill from the portal to the Gold King Mine to continue its investigation this year, the plug blew out releasing contaminated water behind the backfill into the Animas River."

The *San Juan Independent* asked the EPA to clarify the scope and timeline of work it was conducting at the mine, and whether local experts were consulted on the project, but has not yet received a response.

Meanwhile, Hennis has also said in several [interviews](#) that the backed-up wastewater inside the Sunnyside Mine is to blame for last Wednesday's blowout. Sunnyside Gold Corp. is owned now by [Kinross](#), a Canadian mining behemoth with capitalization estimated at US\$3.7 billion, and holdings across several continents. (In June, Kinross was [ranked](#) the top mining company on the list of Top 50 Most Socially Responsible Companies in Canada developed by *Macleans* magazine.)

"It is our belief that, when Sunnyside put bulkheads inside the Sunnyside Mine, they redistributed the flow of wastewater out of other mine portals," Hennis told the *Denver Post* last week. "It is a bad flow, very high in the nasty minerals, very acidic."



From its source at the Gold King Mine, the 3 million gallon spill flowed down the Animas River to its confluence with the San Juan River in Farmington, N.M. and continued to Lake Powell. (Courtesy map)

‘Environmental Pollution Agency’...

The Red and Bonita Mine, whose voluminous mine discharge now accounts for 18 percent of the zinc load in the Animas River below Silverton, has for years been the poster child for Good Samaritan legislation – an issue that has been eclipsed in recent days by the Gold King Mine blowout and its aftermath.

But the river that turned orange may turn out to be the ultimate poster child for the need to find some way to remediate the thousands of abandoned mines that are draining into watersheds across the West.

The EPA, meanwhile, has suffered its own blowout of sorts over the past two weeks, squirming under the exquisite irony of having created its own environmental mess – even as it was trying to fix one – leading some to dub it the “Environmental Pollution Agency.”

At a public meeting in Durango five days after the blow-out, 500 residents showed up with a tar and feathering mentality against EPA officials. Russell Begaye, president of the Navajo Nation, announced the same day that he plans to file a lawsuit against the EPA as a result of damages to the nation’s water supply.

In Silverton, too, locals have asked some tough questions. At a county commissioner meeting last week, Fetchenheir grilled EPA officials about the accident, wondering (among other things) why they had not used their Iridium phone at the Red and Bonita work site to alert authorities in Silverton about the wall of water that was heading their way.

“There was definitely a communication problem up there,” Fetchenheir said. “I don’t think they were very well prepared.”

The national fixation over the Gold King accident has even spilled into presidential politics. Mark Rubio and Donald Trump both issued statements last week lambasting the EPA for its incompetence.

“There are some really interesting dynamics unfolding,” said Anthony Edwards, a local judge and attorney who is serving as the public information officer for Silverton’s incident management team. Edwards has observed a growing tendency from the Durango community in recent days to blame Silverton for the spill because of its refusal to accept Superfund status – a mindset that was on display at last Sunday’s public meeting in Durango.

The *Durango Herald* reported La Plata County Commissioner Gwen Lachelt and Mayor Brookie as stating they were “intent on seeing the EPA come up with a longterm plan that will protect Durango and other communities downstream from San Juan County’s abandoned mines,” which

“place the Animas River and Durango in ongoing danger.”

At this meeting, EPA officials confirmed that they are seriously considering declaring parts of Silverton a Superfund site. (The agency at large has also announced in the blowout’s aftermath that it is halting all EPA field work at mines across the nation for reevaluation.)

A recent Facebook post that has since been taken down from the Silverton Community Issues forum gave a glimpse into the looming cultural divide between Silverton and its downstream neighbors:

“SELFISH BUNCH OF MONEYGRUBBERS-CLEAN UP YOUR POLLUTED NIEGHBORHOOD AND STOP CRYING LIKE THE BUNCH OF CHAINSMOKING OLD DRUNKS WITH CRUMBS IN YOUR BEIRDS WHEN THE WORD SUPERFUND COMES UP. SUPERFUND SUPERFUND SUPERFUND TO CLEAN UP WHAT YOUR OLD TIMEY ASSES WONT. THANKS FOR THE DUMP MINERS. ONE FINGER SALUTE RIGHT BACK AT YOU ALL. SHAME ON YOU” (sic).

The tide of local sentiment in Silverton may be turning – Mark Esper, the editor of the *Silverton Standard*, editorialized last week about the wisdom of embracing Superfund. His words reflect the belief of a growing number of people here – especially in the aftermath of the Gold King spill.

On Monday, Silverton resident Melanie Bergolc was soliciting community members to sign a letter she had drafted to send to local, regional and statewide newspapers, expressing this as-yet unsung view:

“We are some of the Silverton residents that stand with the views and comments of our newspaper editor Mark Esper in supporting cleaning up our waters and past mining areas by using EPA’s CERCLA (Superfund) or another entity at the federal, regional, or state level that has the funding and resources to do so....We would like our town and county to do the best job they can in researching and talking to all parties involved that can help solve our past mining environmental issues and to finally put into action a major cleanup instead of patchwork throughout the last couple of decades.”

But some locals, especially those with strong ties to their community’s mining roots, aren’t likely to sign on.

As Ferguson put it, “Ronald Reagan had it right when he said, ‘The scariest 10 words in the English language are ‘I am from the government and I am here to help.’”

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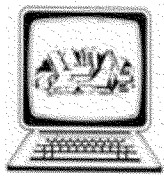
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